Annual Report of the Secretary of the Interior DEPARTMENT OF THE INTERIOR, Dec. 3, 1857.
Sin:—In presenting an exhibit of the operations of this department, attention is first invited to the important and diversified interests connected with the administration of our public domain, respecting which the accompanying re-port of the Commissioner of the General Land Office fur-nition interesting details, with a gratifying view of our extensional land system. American legislation has shown land system. American legislation has shown its sentor practical wisdom by its simplicity and adaptation to the wants of our people in its code of land laws, in regard to the improvement of which few suggestions

The leading fact attracting our attention is the vast extent of the operations of the Land Bureau.

The public domain covers a surface, exclusive of water, of one thousand four hundred and fifty millions of acres. It stretches across the continent, and embraces every variety of climate and soil, abounding in agricultural, mineral and timber wealth, everywhere inviting to enterprise,

and capable of yielding support to man.

This great inheritance was acquired, first, by the voluntary cessions of several of the original thirteen States; then by the Louisiana purchase obtained from Napoleon by the treaty of 1803. The next enlargement of our Terby the treaty of 1803. The next entargement of our territory was effected by the treaty of 1819 with Spain, cedlong the Floridas to the United States; then its
further extension was effected by the treaty of
1848, at Gondalupe Hidaigo, with Mexcio, ceding
New Mexico and California. Subsequently, Texas
accepted the proposition of this government establishing her boundaries, for the "relinquishmeni by the said
State of all territory claimed by her exterior to said boundaries." The last accession to the public domain is that,
in 1854, from Mexico, known as the "Gadsden purchase."
covering a surface of 23,161,000 acres, south of the Gila
river.

river.

The Supreme Court has said, in reference to acquired lands, that if "the people change their sovereign, their right to property remains unaffected by this change." Consequently, when the United States succeeded to the ownership of that portion of our territory, derived from treaties with foreign powers, the first and paramount duty in the disposal of the public lands was to separate private from public property.

disposal of the public lands was to separate private from public property. In obedience to this well settled principle of public law and under the special obligations of treaties, the United States have established Boards of Commissioners, conferred powers on registers and receivers, opened the courts of the United States for the adjudication of foreign titles, and in multitudes of cases confirmed such titles by special acts of legislation.

These classes of titles are known under the generic description of "oprivate land claims," and are of every spe-

acts of legislation.

These classes of titles are known under the generic description of "private land claims," and are of every species, from minute parcels in the form of lots in Spanish towns to rural claims, ranging in size from one hundred arpents and less to a million and a half of acres.

These titles are of British, French, Spanish and Mexican origin, all depending for validity on the colonial laws of their different sovereignties. And there is no branch of jurisprudence where greater research and extent of legal erudition have been displayed by our judicial tribunals than in the determination of the intricate questions which have arisen, been discussed, and judicially determined in connection with this branch of the service. These foreign claims are of every diversity of shape, and everywhere scattered over the public domain, interrupting the regularity of our surveys, with which they are necessarily interlocked, and exhibit in striking contrast the irregularities of the foreign surveys, when compared with the simplicity and beauty of our own rectangular system; showing the difference in the modes of distributing estates, one of which concedes to the favorities of princes immense bodies of the choicest lands, whilst the other subdivides the public territory so as to deal with every dizzen in a spirit of enlarged liberality. In the growth of our immense Territory, in the way and by the means already mentioned, their emanical and still remain nuextinguished the claims, rights and possession of the aboriginees. The general government of the Union, at the down of our political existence, adopted the principle asserted by the colonizing government of the Union, at the down of our political existence, adopted the principle asserted by the colonizing government of the Union, at the down of our political existence, adopted the principle asserted by the colonizing of extinguishing that right.

Under the operation of these principles, the purchase and extinguishment of the Indian right has been gradually progres

carred, is preparing to the control of the control

sale, in addition to which, there were upwards of.

Subject to entry at private sale on the 30th Sept. last. Of the public domain, there have been disposed of by private claims, grants, sales, &c., embracing surveyed and unsurveyed land.

363,562,464 acres, Which, deducted from the whole surface, as above stated, leaves undisposed of an area of.

During the fiscal year coding June 30, 1857, and the quarter ending Sept. 30, 1857, public lands have been surveyed and reported to the exient of. 22,850,461.00 acres. During the same period.

21,160,037,27

Have been disposed of as follows—

or cash.

5,300,550,31

This shows a falling off in land receipts, from those for the ecorresponding period of the preceding year, of \$5,322, the oc. With a falling off during the same period, in the cation of lands with warrants, of more than twenty that

146 99. With a failing oif during the same period, in the location of lands with warrants, of more than twenty per cent.

Whatever may have been the cause of this diminution, the fact demonstrates that, long before the prostration of all credit by the suspension of the banking institutions, the investment in wild lands had greatly decreased.

In the territory of the United States there are eighty three organized land districts, each having a register and receiver, for the sale and disposal of the public lands. Yet we have no land district for either the Territory of New Mexico or Utab. In New Mexico the public surveys have been executed to a very limited extent, owing to Indian hostilities. In Utab the surveys had rapidly progressed, dutil the Surveyor-General abandoned his post, owing to reported hostilities of the Mormon authorities at Salt Lake Oity. The extent of the surveys, since the beginning of the operations in Utab, exhibit a sphere of field work embracing 2,909,909 acres.

A due regard for the public interests, as well as a proper respect for the prosperity and advancement of New Mexico, would justify, if not loudly call upon Congress to establish a land office and a Board of Commissioners for the adjudication of Spanish and Mexican claims in that Territory. It is important to its future prosperity promptly to separate private property from the public lands before the aetilements become dense, and consequent condicts of claim and title arise.

By the act of April 24, 1820, the old credit system of sales of land was aboushed, the cash system instituted, and the minimum price fixed at \$1.25 per acre. This is the great basis of our present system of sales. The polley of the law is to favor the actual settler. It is a humane, whe and just policy. When the hardy pioneer breaks off from the comforts and security of a long action commended.

sales of land was abolished, the eash system instituted, and the minimum price fixed at \$1.25 per acre. This is the great basis of our present system of sales. The policy of the law is to favor the actual settler. It is a humane, when and just policy. When the hardy pioneer breaks off from the comforts and security of a long settled community, and encounters the hazard and endures the hardships and deprivations of a new settlement in the forest he has rendered a positive service to the government, and to deny him the right of securing his home and improvements, in preference to all others who would profit by his sacrifices, would be a crying injustice.

When an actual settler goes upon lands which have been offered for sale, and builds himself a house, the law allows him twelve months within which to pay for a pre-emption right of ohe hundred and sixty acres. If he enters upon unoffered land, or lands which have never been surveyed, he is permitted to file his declaration of intention to enter, and is not required to pay for his pre-emption till the day appointed by proclamation for public sale of the lands. Public policy may cause an indefinite postponement of the sale of the land, and the consequence is that, with this inchoate, imperfect right, he continues to occupy without perfecting his title. This privilege to enter being a personal right, its transfer or assignment is prohibited by law.

By thus conceding a privilege and fixing no time in which he is required to perfect his title, an interset is overested in opposition to a public sale by proclamation when the good of the country may require it. The suggestion, therefore, that settlers upon unoffered lands should be required to make their proof and payment within a specified period is approved.

Pre emptions upon unsurveyed lands are now limited to particular States and Territories. A general law authorizing pre-emptions open lands of this character, superiseding or repealing special statutes on the subject, would conduce to the harmony of the system; a

recommended.

In order to remove all doubt in the construction of existing law, pre emption privileges should also be extended to alternate reserved rathroad sections, in cases where settlements have been made after the final allotment. The enhanced value of such lands presents only a stronger reason why preference about d be given to settlers over all others. thers.

The mode of disposing of the public lands under exist-

The mode of disposing of the public lands under existing legislation is simple, uniform and complete. Lanns are introduced into market and opened to free competition at public sale by the President's proclamation, which at the same time notifies settlers to come forward and secure their homes at the minimum price, without risk of competition at public sale. Then such lasels as remain thus undisposed of are open to free purchase at private sale, at the ordinary minimum of \$1.25 per acre, or when in market ten years and upwards, at reduced prices, always, however, with the preference right of purchase awarded to the actual settler.

the preference right of purchase awarded to the actual settler.

The public domain is the property of the United States, and the individual citizens thereof have equal rights of purchase. Actual settlers, as aiready shown, are amply protected by law from interference, and efficient safe-quards are thrown around their rights. As an evidence of this, it is estimated that in the sales of the last year three fourths of the sold and located lands were taken for actual settlement. Large detricts of the public lands are valuable, however, only for the timber found upon them; they are measurable for settlement; and to restrict their purchase or settlers alone would prevent their sale for an indefinite period, and hold out a standing temptation to trespass and plunder.

An amendment of the law fixing the maximum compensation of the registers and receivers, so as to restrict the

Approved and recommended.

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pulse any brody receives at some of the noon made of the

for the location of warrants, and claims have been presented by several of the officers for the whole amount of fees collected. The General Land Office has decided, and the decision has been sanctioned by the department, that in view of the limitation as to maximum in the act of 20th April, 1818, and the terms of the second and third sections of the act of 1222d March, 1882, in connection with the act of 1836, there is no authority of law for the allowance of any excess over the maximum compensation for commissions as fixed by said act of 1818.

The act of 12th January, 1825, authorizes repayment of purchase money to be made from the freesury in all cases of sales of lands made by the local land officers where the government is unable, from want of title in itself, to issue patents to the purchasers.

My prodecessors have construed this act as providing for repayments in all cases where from any cause the sale could not be confirmed; and the uniform practice has been in conformity with that womably founded in strict justice, and the other of the present of the construction of the law would limit its operation to the class of cases specifically central country limits of the optimic that a strict construction of the law would limit its operation to the class of cases specifically central country limits of the presented the country of the Territory of New Mexico, respecting the mineral resources of that distant Territory, suggests the propriety of proviling for a geological survey thereof. It is not doubted that wast quantities of gold and silver, copper, lead and iron orea are to be found embedded in its soil, and their discovery and development could not fail to conduce to the public prosperity.

The report of the Commissioner of Indian Affairs furnishes an interesting view of a peculiar people, with whom this government holds the most complicated relations.

The members of the Indian tribes within our limits, while they are not citzens, cannot with strict propriety be terrated foreigners. "Domestic dependent na

ment of this preliminary step the efforts of the indian Bureau are now directed; and it is hoped that, with the aid of the military arm of the government, the system of colonization, which has elsewhere been so productive of good, may be successfully applied to these tribes.

The tribes of California, Utah, Texas, New Mexico, and a portion of those in Oregon, constitute the second class. Some three years since the policy was adopted of concentrating these Indians on small reservations, where they might be practically taught the industrial arts, and labor for their support under the immediate supervision of their agent. These establishments are, in fact, manual labor schools on a large scale; and I am gratified to be able to state that the happiest results have followed their introduction. The two great difficulties to be encountered in effecting the civilization of the Indian, are his impatience of restraint and his aversion to labor, and these are not to be overcome by abstract teachings. He must be taught practically, if at all, the immense superiority of a settled over a roving life, and the value and dignity of labor. This, the colonization system appears to be accompishing, and it is certainly the most effectual and economical plan yet devised for his recinantion.

The Indians along the west bank of the Missouri, those of Kansass, and the four great tribes occupying the territory west of Arkansas, form a third class, differing in many particulars from either of the others. Generally true and reliable, they constitute a people for whom we justly feel the deepest sympathy and the greatest solicitude. The degree of civilization to which these tribes have attained varies greatly in different localities. Some of them, steeped in ignorance, thoroughly degraded, seem, in their contact with our people, to have lost the rude virtues that characterized them in a savage state, and acquired from civilization only its vices. Others have rapidly advanced, socially, morally, and in the knowledge of the useful arts, until

the Mississippi river were induced to leave the graves of their fathers and emigrate to the West, the Congress of the United States gave them a solemn piedge that the country where they now reside schould be forever, "secured and guarantied" to them. The westward mach of emigration, however, has overtaken the Indian, and now begins to press upon him, and it is evident that a critical period in his history has been reached. To attempt his removal still further west is impracticable. The country is unsuited to his wants; it has no sufficient supply of wood or water, and a removal there would but be the means of hastening on his bitter fate. Where he now is he must make a stand and struggle for existence, or his doom is scaled. If he cannot adopt the habits and rise to the level of his white neighbor, he must pass away; and the necessity of devising some policy which shall meet the emergency presses itself upon the government at this time with peculiar force. So far as the Indians of the Central and Northern superintendencies are concerned, the question is especially embarrassing. Treaties have, within the last three years, been negotiated with most of these tribes, by which their lands, with the exception of small reservations, have been ceded to the question is especially embarrassing. Treaties have, within the last three years, been negotiated with most of these tribes, by which their lands, with the exception of small resorvations, have been ceded to the United States. Other treaties have been made, by which individual reservations have been secured, in the expectation that the Iodian would settle down, each upon his own farm, and gradually and insensibly attain the level of his neighbors. Unhappily for the success of this scheme, an unprecedented tide of emigration pressed into Kansas and Nebraska. The fertility of the reservations, greatly enhanced in value by the rapid settlement of the country, tempted alike the capidity of the land speculator and of a class of settlers by no means punctibous in their respect for the right of the Indian. The result has been disastrous. Trespassed upon everywhere, his timber spoiled, himself threatened with personal violence, feeling unable to cope with the superior race that surrounded and pressed upon him, the Indian proprietor has become disheartened. Many of them have alandoned their reserves, and still more desire to self. These Indians now ask for patents, as they have a right to do, for their selection. The treaties vest in Congress the power of providing for their issuance, "with such guards and restrictions as may seem advisable for their protection therein." There can be a doubt that our people will succeed in getting possession of to do, for their selection. The treaties vest in Congress the power of providing for their issuance, "with such guards and restrictions as may seem advisable for their protection therein." There can be no doubt that our people will succeed in getting possession of these homes of the indians. If Congress shall fail to act, and thus open no door by which the Indians can divest themselves of their titles, it may be apprehended that unscruptions men will, without law, obtain possession of their lands for a trifling consideration, and stand the chances of an ultimate title. The interest of the reservee requires the passage of a law regulating the alienation of his right to his land, and securing him the payment of a fair equivalent for the same.

For their numbers, the income of most of these tribes, in the way of annuity, is large; but experience has shown that the system beretofore pursued of paying them in money at stated periods, has been productive of evil rather than good. It represses industry and self-reliance; it encourages idieness and extravagance, and draws around them a swarm of unprincipled traders. In many of the treaties which have lately been negotiated with these tribes, this provision has been inserted—

"The object of this instrument being to advance the interest of said Indians, it is agreed" that "Congress may hereafter make such provision by law as experience shall prove to be necessary."

If Congress, in the exercise of this power, should clothe this department with some discretion in the payment of annuities, so that the same could be used as a means of their moral reform and elevation, instead of the injurious system now prevailing, of distributing money per capita, decided advantages may be reasonably antici-

per capita, decided advantages may be reasonably anticipated.

The plan which has suggested itself as most likely to arrest the demoralization now rapidly increasing, and at the same time lay a solid foundation for their ultimate civilization, may be briefly outlined thus.—

They should be gathered on smaller reservations and in denser settlements. They must be familiarized with the idea of separate property, by encouraging them to erect houses as homes for themselves and their families. For this purpose the reservations should be divided into farms of suitable size, and distributed among the individuals of the tribes, to hold, in severalty, as their separate and private estate, but without the power of selling, mortgaging, leasing, or distributed among the individuals of the tribes, to hold, in severalty, as their separate and private estate, but without the power of selling, mortgaging, teasing, or in any manner allenating the same, except to memoers of the same tribe with themselves. Settlements by white men within the reserves should be prohibited, and the problem of rigidly inforced, and increased efforts should be made to suppress the sale of ardent sprits, to effect which the co-operation of the Indian authorities about the secured. Farms should be established in central positions, at which all the children of the tribe should be collected and required to labor, and where they could be taught the rudiments of an education. A certain portion of them should be apprenticed to useful trades, and the surplus of the proceeds of their labor, whether on the farm or in the workshop, should be divided among their parents. Here they would be taught the great truthsthat labor is honorable, and that want and suffering invitably follow in the train of improvinence and idleness. Implements of husbandry, blankets and clothing, useful articles of furniture, books, and indied everything which are the surplus to their hones, should their income to more they exceed the remainder

wyork heralin, Thursday, December 10, 18

with the paid in money. New the annual indiscriminate attribution of their national funds among the loiding attribution of their national funds among the loiding attribution of their national funds among the loiding attribution of the relation of the state of the proper relation of the state of the proper to the control of the relation of the long deep to the government of the tribes in the Cantral and Northern superintedent. Therefore the case of the proper to the control of the tribes in the Cantral and Northern superintedent presents a graiflying spectable. The four great tribes of the kinded and of Semiologic occupying the territory west of Arhanas, have steedily improved in the kinded of Semiologic occupying the tribes of the kinded and of Semiologic occupying the tribes of the kinded and of Semiologic occupying the variety of the kinded and of Semiologic occupying the variety of the kinded and of Semiologic occupying the variety of the kinded and the paid of did play the paid of th

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The report of the Commissioner of Pensions presents a

munity.

The report of the Commissioner of Pensions presents a satisfactory view of the operations of that bureau during the last year. The business of the office has been brought up to date, as nearly as it is practicable; and the large cierical force required to despatch the heavy labors devolved upon it by the recent laws granting bounty land, has been reduced, so as to conform to the present exigencies of the office.

For some years past the practice has prevailed of paying to the children, and sometimes to the administrators, of deceased revolutionary soldiers and their deceased widows, the amount of pension to which such soldiers or widows would have been entitled had they succeeded in making good their claims during their lifetime, but never to grandchildren, as such. At the last term of the Supreme Court it was decided, in a case involving the distribution of certain pension moneys which had been paid to an administrator for the exclusive benefit of the children of a deceased widow of a revolutionary soldier, that grandchildren—per stirpes—stood in the same relation to such claims as children, and it was subsequently contended that the effect of that decision was not only to affirm the legal correctness of the practice alluded to, but to enlarge it so as to embrace a class of claimants not previously recognized by it.

Seeing that a large amount of money had already been

and these are not to be overcome by abstract teachings. He must be taught practically, if at all, the immense superiority of a settled over a roving life, and the value and dignity of labor. This, the colorization system appears to be accomplishing, and it is certainly the most effectual and economical plan yet devised for his reclamation.

The Indians along the west bank of the Missouri, those of Kansas, and the four great tribes occupying the territory west of Arkansas, form a third class, differing in many particulars from either of the others. Generally true and reliable, they constitute a people for whom we justly feel the deepest sympathy and the greatest solicitude. The degree of civilization to which these tribes have attained varies greatly in different localities. Some of them, steeped in ignorance, thoroughly degraded, seem, in their contact with our people, to have lost the rude virtues that characterized them in a savage state, and acquired from civilization only its vices. Others have rapidly advanced, socially, morally, and in the knowledge of the useful arts, until they have become fit to be recognized as editions. Here and there is found one whose talents, attainments, and integrity constitute him an ornament to his race, and, while he challenges our admiration and respect, furnishes practical evidence of the capacity of the Indian for high civilization.

When those tribes who once recided east of the Mississippi river were induced to leave the graves of their fathers and emigrate to the West, the Congress of the United States gave them a soleum pleage that the country where they now reside should be content to a naked act of legislation by an executive officer. I felt no hesit tion, therefore, in ordering a discontinuance of the country where they now reside should be content.

would have been against law, and would have amounted to a maked act of legislation by an executive officer. I felt to hesitation, therefore, in ordering a discontinuance of the practice in question, and all the cases coming within it will be indefinitely suspended, unless Congress shall pass a law giving to children and grandchildren the pensions their deceased ancestors would have received had the proper proof been made out during their lifetime.

A pension is a bounty given by government for meritorious personal service, and the first law granting pensions for revolutionary services confined the bounty to the indigent soldiers. But, whether this restriction be correct or not, it is self-evident that the great inducement, in all pension laws, is to relieve and compensate, in his own proper person, the self-sacrificing soldier, who risked his life, wasted his energies, and neglected his private affairs in the service of his country. The law has extended its benificance from the soldier to his widow, and there it has stepped. If Congress shall take one step further, and provide for children and grandchildren on account of the services of their ancestors, the question arises, why take care of the children and grandchildren of those whose fortune it was to live till Congress had passed a pension act, and not of those equally meritorious, who died in the service or who dragged out a miserable existence, uncared for and unrecegnised by the government?

The children and grandchildren and great grandchildren and great grandchildren and grandchildren and grandchildren and great grandchildren and great grandchildren and grandchildren and grandchildren and grandchildren and great grandchildren and grandchildren and great grandchildren and grandchildren and great grandchildren and grandchildr

sides large donations of land and disbursements of mobey, under other laws, on account of revolutionary services.

The discriminations pointed out by the Commissioner of
Pensions, as existing between the invalid and half-psy
pensions for the army and navy, would seem to demand
revision and correction by Congress. Some reorganization
of the systems upon which those pensions are granted is
desirable, not only because of the inadequacy of the lower rates to relieve the wants of those intended to be benefitted, but because of the manifest propriety of making
like prevision for those of corresponding grades in the
two arms of the service who may become disabled while
in the faithful discharge of duty.

During the past year 41,483 warrants for bounty land
have been issued, requiring, to satisfy them, dwe millions
nine hundred and firty two thousand one hundred and
sixty acres of the public domain, and the number issued
under all the bounty land acts of Congress from the revotutionary war to the present time is 547,250, requiring, to
satisfy them, sixty millions seven hundred and four thousand nine hundred and forty two acres of land.

The frauds practised upon the Pension Office in attempts to procure, and in the actual procurement of land
warrants, are numerous; but owing to the short statutory
limit of two years the frauds are not discovered, and many
guilty persons escape. I would, therefore, recommend an
extension of the limit now made by the law for the prosecution of offences of this, limit, the strength of the prosecution of offences of the Kind.

The Commissioner of Pensions has called my attention,
also, to the fact that the forging of land warrants is rendered penal by no existing law. The extent to which this
evil practice exists is not known, but the importance of
some legislative action upon the subject is obvious, and i
would respectfully recommend that Congress provide some
law which may serve as a protection to the government.

The report of the Commissioner of Public Boildings fur

ate direction.

The west wing of the Patent Office building is nearly diste direction.

The west wing of the Patent Office building is nearly completed throughout, and presents an elegant and tasteful appearance. The north front of the building is in process of erection. Suisfactory contracts have been entered into for the granite and marble work, the subbasement has been fuished; and the contractors are pressing forward their operations with a commendable zeal. This portion of the building will be completed by the appropriations already made, and no estimate is now deemed necessary for the improvement and enclosure of the grounds around it.

An extraordinary flood during the last winter swept away several sections of the bridge across the Fotomac. The authorities of the city of Washington repaired the breach, and the bridge has has been otherwise placed in such condition as to make its passage sale. This, however, is a temporary arrangement, but it is the only one by which a convenient connexion between the city of Washington and the shore of Virginia can be had at present, a permanent bridge across the Potomac is a necessity, and at is for Congress to determine its location and its character.

The District of Columbia has been set apart for the capital of the nation, and the relations of its people to the general government are altogether anomalous. Wahout a representative in Congress, and with no voice in the election of their chief magistrate, so far as political rights are concerned its inhibitants occupy the attitude of a dependent people. But they are nevertheless American Classes, and.

into been contracted with an outy. The law relieves the department from the obligation, not unfrequently upterly distinsting plans and suggesting appropriations for the microst methods of the construction of drains and sever is the cay.

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turnish a detailed account of the administration of the affairs of the penitentary for the past year. The views expressed by the inspectors of the present working of the penitentary, and their recommendations for its future improvement, are approved and commended to your favorable consideration.

The report of the engineer in charge of the construction of the bridge acroes the Potemae at Little Falls exhibits the progress of that work, and the probability of its early completion. There have been unavoidable delays, which are explained, but the work, when finished, will be creditable alike to the engineer and the government.

By a joint resolution of the last congress the city was the potential of the potential and Congressional documents to public libraries, Ac., previously distributed by the Department of State. As the resolution prescribed to rule by which the distribution should be made, it is proposed to send to each state copies in proportion to its federal representation, and the distribution will be made on that basis, unless Congress shall etherwise direct. It is respectfully suggested that a law be passed for the future government of the department in reference to this subject.

To this department belongs the supervision of the accounts of Marshals, District Autorneys and Clerks of the Circuit and District Courts of the United States, and nother branch of the public service is encompassed with greated the properties of the court of the court

sation limited; yet the policy and spirit of this law includes this officer, as well as the cierks of the Circuit and Instrict Courts. If the existing law be wise and ought to be used and ought to be used and upt to the count of all the cress of the circuit of

the other bureaus of the department make annual reports to the Secretary to be laid before the President, and by him communicated to Congress. But, in the case of the Commissioner of Patents, while the rules and regulations for the management of his office, his acts and the conduct of all those under his immediate supervision are subject to the control of the Secretary, and, through him, of the President, yet the annual report required of him is not, in any way, under existing law, open to the revision of either. There is nothing in the peculiar nature of the subjects or duties pertaining to that tureau which makes this exception necessary; and as the reason for the law has ceased to exist, it might be changed with propriety.

From the list of January to the 30th of September, 1857, 4,065 applications for patents have been received, and 820 caveats filed; 2,006 patents have been received, and 820 caveats filed; 2,006 patents have been issued, and 2,287 applications rejected.

The receipts for the three quarters ending 30th September, 1857, were \$161,415.97. The expenditures were \$163,042.64. Excess of expenditures over receipts, \$2,526.07.

ber, 1857, were \$161,416 %?. The expenditures were \$163,942 of. Excess of expenditures over receipts, \$2,520 of.

The policy indicated in the law establishing the Patent Office is, that it should be a self sustaining bureau. This policy is a sound one, and should be observed.

The law now authorizes a return, upon the rejection of an application, of two-thirds of the fee required to be described by the applicant on presenting his claim. Of the \$163,942 of expended during the last three quarters, \$27,939 99 was made up of fees restored to applicants, after the labor of examining their cases had been performed. There seems to be neither justice nor expediency in the requirement. Its consequence has been to bring into the office a large amount of business, frivolous in its character, and which seems, in fact, obtruded but as an experiment upon its credulity. If it is desired that this bureau should be, as herefore, supported by it so we carnings, this feature of the financial administration of the office should be real sents, if a subject of the King of Great Britain, was required to pay a fee of five hundred dollars. At that time, american either applying for a patent in the kingdom was required to pay a fee of five hundred dollars. At that time, american either applying for a patent in the kingdom was required to pay a fee of the hundred dollars. At that time, a mercular of an American either from one hundred to twenty pounds. As the fee originally required seems to have been determined on a principle of relation, it is proper and becoming in our government has reduced to the liberal policy shown by Great Britain toward our eithers, by reducing the fee in such cases to one hundred dollars.

The existing law authorizes an appeal from the decision of the Commissioner to either of the Judges of the Circuit Court for the Bistrict of Columbia. This law is an anomaly in our legislation. It confounds the executive and judicial departments, which the genine for the Circuit for the bindependence in its executive action,

present year, will more than compensate for the money

present year, will more than compensate for the money heretofore expended in this behalf.

Measures have been taken for the establishment of a more satisfactory system for the distribution of seeds; the introduction of the tea plant; the collection of the seed and cuttings of the native grape vines with the view of testing their value for the manufacture of wine; the investigation of the nature and habits of the insects that infest the cotton plant, with the view of ascertaining whether some plan can be devised for the protection of the ootton plant; and for the chemical analysis of various planter and soils.

The cases required by the act of March 3, 1857, to be constructed in the hall of the Smithsonian Institution, for the recognion of the collections of the Exploring Expeditions and other objects of curiosity and interest, now in the main hall of the Patent Office building, have been contracted for, and sufficient progress has been made to warrant the belief that the removal can be made before the expiration of the current fiscal year. The object of the transfer of these collections to the Smithsonian Institution evidently was to relieve the Patent Office from the responsibility and trouble of their cutody; the force, therefore, heretofore employed to take care of them will then be as longer needed by this office, and no estimate has been submitted for that purpose. I am, sir, very respectfully, your obedient servant.

J. THOMPSON, Secretary of the Interior.

ALBANT, Dec. 7, 1867.

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The State Officers—Condition of the Finances—The Comp troller's Report-Mr. Church and His Appointments-The Auditor's Office and the Policy of the Contracting Board

Hartstene Medals, &c.
As the time approaches for a change in a portion of the State offices the present occupants of the departments are busily engaged in preparing their annual reports, to be submitted by their successors to the incoming Legislature. It will be gratifying to newspaper publishers in particular, and to the public in general, to know that the documents issued this year will be commendably brief and pointed. The Comptroller's report, in which the main interest contres, will probably be confined to matters of fact, con-densed as much as consistent with a clear, understand-able statement, and will avoid as much as possible those "auggestions" which, however well considered and valua-ble, experience has shown to be seldom regarded by the

The finances of the State will be surrendered into the

hands of the Comptroller elect in a condition far better than that in which they found their way into the hands of Mr. Burrows, who has reversed the policy of his predecessors, and instead of using the last few weeks of his official term in paying out just as much shoney as he his official term in paying out just as much honey as he could conveniently lay his hands upon, has striven by the exercise of a wise discretion in his outlays to preserve a respectable balance in the Treasury for his successor. Of course there are a great number of the appropriations of the last republican Legislature still unsatisfied—probably to the aggregate amount of nearly one million—but it is not likely that Comptroller Burrows will be censured for suffering these legislative itberatities to lie over unta the finances of the State are in a more flourishing condition than at present. The United States deposit fund will show a deficiency of some two or three millions. There will be nominally a balance of some \$200,000 in the Treasury, but this will not all be available. The receipt of the proceeds of the recent sale of the arsenal in New York helped the Comptroller in paying off a considerable amount of indebtedness, but the disturbed condition of all financial affairs and the embarrassments of the banks have rendered the management of the "affairs of State" during the past year anything but a pleasant or easy task, and have demanded no little skill, judgment and fidelity to bring us safely through. Whatever may be thought of the political associations of the retring Comptroller, he certainly has the satisfaction of yielding up his office with the knowledge that he has discharged its duties ably and faithfully, and takes with him into private life the respect of the people of the State.

The Comptroller elect has, it is rumored, already marked out those upon whom he will bestow the patronage of the office. It will be well for Mr. Church to bear in mind that his is by far the most important department of the State government, and that for his own sake he should call about him none but capable and honest men. This is the more important from the fact that a general change will take place in all the clerkships; for probably only one desk wfil pass into the hands of its old occupant—a clerk whe was dismissed b could conveniently lay his hands upon, has striven by the

out of the hands of any man who has at any time best mixed up with swindling insurance schemes and bogud companies.

The indications at present appear to favor the retention of Mr. N. S. Benton in the Auditor's office. Indeed, it would seem that the better portion of the republicans do not desire his, removal. It will, however, depead upon the sort of arrangement made in the organization of the two houses, and upon the action of the two American members of the Contracting Board, as reorganized on the list of January—Auditor Benton and Canal Commissioner Whallon. As your readers are aware, the last Legislature took the main portion of the canal patronage from the Canal Board, and bestowed it upon the Contracting Board, then enjoying a republican majority. They also made the Auditor a member of the Contracting Board, then enjoying a republican majority. They also made the Auditor a member of the Contracting Board will that day a member of the Board; and then, by legislating Mr. Benton out of office, and giving the appointment of his successor to Governor King, they secured, as they believed, two members out of the five, and trusted to Providence to give them a third. The Contracting Board will, therefore, after January 1, consist of the following persons—

State Engineer and Surveyor—Van R. Richmond, President of the Board, democrat.

Canal Commissioner—Samuel H. Sherrill, republican.

Canal Commissioner—John M. Jaycox, democrat.

Canal Comp

Canal Commissioner—John M. Jaycox, democrat.
Canal Commissioner—Samuel H. Sherrill, republicar.
Canal Commissioner—Samuel S. Whallon, American.
Auditor—N. S. Benton, American.
—Democrats, 2: Americans, 2: republican, 1.

Now, should Gov. King displace Mr. Benton, and nominate a republican in his stead, the American member of the Board, Mr. Whallon, would, in all human probability, throw his casting vote with the democratic members of the Board, and share with them its patronage and induence. The only hope, in fact, of the republicans must be to conciliate the two American members of the Board, and share in the good things in the gift of the Board. It is on this ground that the retention of Mr. Benton in his office may be considered among the probabilities; but it must be remembered that the policy I have named may be mightily upset should Mr. Sherrill think it best to return to his first love, and both of the democracy, where he originally belonged. This, entre nous, may be on the cards, and may spoil a very pretty game. But we shall see.

It is really to be hoped, however, that Mr. Benton may be retained. He is a faithful man, eminently qualified for inta tardous and responsible office, and will save tens of thousands of dollars to the State in the course of the year. And while we have on the wishing cap we may as well express a sincere and earnest hope that however the patronage of the Contracting Board may be wielded, a clean sweep may be made of the cantel Board of Engineers who have been fastened upon the canals under the present State Engineer. As the present engineers are busily follying Mr. Richmond, in the hope of being suffered to retain their offices, A is well that he should know their true character.

The organization of the two houses will doubtless be effected by the union of republicans and Americans, but of this something more hereafter.

Gov. King has to day received the medals appropriated by the State Legislature to Dr. E. K. Kane and Lieut. Hartstene. The former is a most beautiful specimen

of New York, 1857.

The Hartstene medal is smaller, but exquisitely worked. Cho one side is a fine view representing Lieut. Hartstene and the Esquimaux standing on the rocks, the latter pointing to the ship, just discovered locked in the ley sea. The arms of the State are on the reverse, and the inscription round the edge is as follows:—

Presented by the State of New York to Commander H. J. Hartstene. 1857.

Both were wrought by hand, like cameos. They will be at once forwarded by the government to Lieut. Hart-stene and the representatives of the lamented Kane.

Theatrical and Musical.

Niklo's.—Gabriel Ravel is to perform this evening in the "Fote Champetre," in which the double tight rope performances are introduced. M'lle Rolla plays in the ballet of "Flora and Zephyr," and the whole closes with "Medine."

BOWERT.—The surprising feats of the gymmasts, equestrians and acrobats, together with the comicalities of the clowns and the favorite monkey pantomime called "Jocko," prove as attractive as ever at this house.

BERTON'S.—Messrs. Burton and Brougham are to sustain their original characters in the renowned play of the "Serious Family" to night. "Crinoline," in which Mr. Rogers has a good part, is to be the afterpiece.

WALLACK'S.—The new local drama entitled the "Poor of New York," in which Messrs. Blake, Lester, Johnston and Sioan, Mrs. Blake, Mrs. Hoey and others have characters, is to be repeated till further notice.

Latha KRESS'S.—The reputative of the remantic spects.

is to be repeated till further notice.

Launa Krrin's.—The popularity of the romantic spectarcle called the "Sea of Jee" continues uninterrupted, despite the long time it has been performed. The acting scenery, music, &c., in this piece cannot be excelled.

Ouwere.—The principal artists attached to the company will appear to night in the drama of the "Golden Farmer," and laughable farces of the "Timid Lover" and "Nature and Fhilesophy."

Assurcas Musicus.—Two very amusing pieces are to be enacted this afternoon, and the drama entitled the "Coose of Gold," and a whimsical after styled "Laugh and Grow Fat" in the evening.

Circus.—Manager Tryon's efficient troupe of gymnasts and equestrians will appear in an unusual variety of en-

and equestrians will appear in an unusual variety of en-tertainments this evening. The man monkey is really a wonderful performer.

Emoriasiss.—Besides burlesques, songs and dances, the fun loving community are promised the farce of the "Harny Man" by Geo. Chairry and West's Manstrols, and the "Cinocae Acrobais by the Bryants.